

Amendments to the Drawings:

New, formal drawings are submitted on the replacement sheets submitted herewith. These drawings correct the problems cited in the office action regarding stray lines and fuzzy edges.

REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed on June 24, 2008. Claims 1-14 are pending in the application. Claims 1-14 were rejected.

Drawings

Corrected drawings are filed herewith. These formal drawings address the objections cited in the office action.

Claim Objections

The examiner objected to claims 1 and 2 and in particular to the phrase '*down a panel*'. This phrase in claims 1 and 2 has been amended to '*in the panel*'. Antecedent basis is provided for '*the panel*' by the words in the opening line of the claim (as amended): '*A unitary shell or bath wall liner panel ...*'.

Claims 3 and 9 where the phrase objected to '*down a panel*' also appears have been similarly amended.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 2 were rejected under 35 USC§102(e) as being anticipated by Lippe. In particular the examiner stated:

'Regarding the claims, Lippe illustrates in Figures 25-27 a shower wall liner panel including panel sections (3) on either side of a fold, and a non-planar formation (5) integrally formed in the panel at least on one side of the fold from which after installation of the liner panel one or more of a shelf or soap dish (23) may be supported within a shower.'

Claims 1 and 2 are now amended to recite '*A **unitary** shower or bath wall liner panel ...*' and that the panel includes '*panel sections on either side of a fold in the panel **about which fold the panel sections can flex towards or away from one another.***'

Claim 3 has been amended similarly.

Claim 9 has been amended to recite '*including forming in a **single** sheet of material two integral opposing non-planar formations ...*'.

The shower wall of Lippe Figure 25 is made up of at least seven separate and discrete components, being three panels, and two outer parts 5, and two inner parts 7. For example it is disclosed in Lippe at column 3, line 10 that:

‘The shower structure also comprises at least two panels 3’.

And that the panel 3 are joined by separate elongated joints – column 3, line 18:

‘The shower structure also comprises a two-part elongated joint including an outer part 5 having, along its length, two distal joint edges 35 (better shown on Figs 23 to 25) edge joint edge 35 is adapted for connecting with inner portion 33 of the second panel edge for fitting the panel 3 and the outer part 5 of the joint together.’

The shower wall is not a ‘unitary’ shower or bath wall liner panel as now explicitly required by claims 1 and 2.

Lippe also does not disclose ‘a non-planar formation integrally formed in the panel at least on one side of the fold from which after installation of the liner panel one or more of a shelf or basket, soap dish, flannel rail or a step can be supported ...’. The optional elements of Lippe shown in Figure 23 are clearly separate elements fixed to the panel rather than integrally formed in the panel. It is disclosed at column 4, line 46 on that:

‘Referring now to Figs 26 and 27, optional elements 23 can be fixed on the panels 23 for storing soap, shampoo or any other products.’

Claims 1 and 2 are not anticipated by Lippe.

Claim Rejections - 35 U.S.C. § 103

The examiner rejected claims 3-5 and 7-14 under 35 USC§103(a) as unpatentable over Lippe in view of Campe.

The rejection of claims 3 to 5 is moot in view of the amendments now made for the reasons above.

Method claim 9 as now amended is patentably distinguished over Lippe in view of Campe also for the reasons stated above.

The rejection of claims 10 to 14 is moot in view of the amendments to claim 9.

Conclusion

In view of the foregoing amendments and remarks, the pending claims are considered to be in condition for allowance, and the Applicant respectfully requests that a notice of allowance for these claims be issued.

A two month extension of time is believed to be necessary in connection with the filing of this response. The Commissioner is authorized to charge the fee for this one month extension of time, as well as any additional fees that are required or that may be due on this application under 37 C.F.R. § 1.17, to Deposit Account 17-0055. The Commissioner is also authorized to treat this amendment and any future reply in this matter requiring a petition for an extension of time as incorporating a petition for extension of time for the appropriate length of time as provided by 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

John Hatrick-Smith

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By: _____/Terri S. Flynn/
Terri S. Flynn
Attorney for Applicant
Quarles & Brady LLP
Reg. No. 41,756
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
(414) 277-5229